



NEWS RELEASE
*Office of the
United States Attorney
for the
District of Nebraska*
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July 20, 2010

United States Attorney Deborah R. Gilg and the Lincoln Police Department and Lancaster County Sheriff's Department announce the following information for the attention of the media:

Event Triggering this Release:

On July 20, 2010, an Arkansas man was sentenced to six and one-half years, (78 months), in prison for conspiracy to distribute crack cocaine and powder cocaine in Lincoln between the fall of 2008 and the spring of 2009. Information provided to law enforcement indicated that Justin Nichols and other persons from West Memphis, Arkansas, were selling crack in Lincoln. During March of 2009, Nichols sold small amounts of crack cocaine on four occasions and powder cocaine on one occasion to an undercover Lincoln Police officer. On March 25, 2009, a search warrant was executed at the Lincoln residence where Nichols had been staying. Officers found approximately ¼ ounce of crack cocaine and cash in the possession of another person staying at the residence. Some of the cash was later determined to be money provided to Nichols by the undercover officer during drug purchases. Following the prison term, Nichols will serve three years on supervised release. He was also ordered to pay a \$100 special assessment.

Name of Defendant: Justin Xavier Nichols

AKA: Y.G. a/k/a Rocky

Age: 21

City of residence: West Memphis, Arkansas

Crime(s) Charged and Potential Penalty (A CHARGE is merely an accusation and every defendant is presumed innocent until and unless proven guilty): Count I: Conspiracy to distribute 50 grams or more of a mixture or substance containing a detectable amount of cocaine base, a Schedule II controlled substance and a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 846. The possible penalty is not less than 10 years nor more than life imprisonment and a fine of up to \$4,000,000. Following any term of imprisonment, there would be a term of supervised release of not less than five years. There is also a \$100 special assessment.

Specific Location of Alleged Crime: Lincoln

Location of Arrest: Lincoln

Alleged Dollar Loss/Type and Quantity of Drug: Nichols was held responsible for the distribution of at least 150 grams (approximately 5 ¼ ounces) but less than 500 grams (approximately 18 ounces) of cocaine base, also known as crack cocaine.

Others Charged in Same Scheme: none

Relevant Dates:

Date of Alleged Crime: Between on or about October 1, 2008, and March 25, 2009

Federal Arrest Date: September 21, 2009

Date Complaint Issued:

Indictment Returned Date: September 15, 2009

Initial Appearance Date: September 21, 2009

Plea or Trial and Date(s): March 17, 2010

Sentencing Date: July 20, 2010

Next Court Hearing Type and Date: none

Assigned Magistrate Judge: The Honorable Cheryl R. Zwart

Held without Bond, or Released from Custody: Nichols was released from custody on conditions on December 21, 2009. He was returned to custody on June 12, 2010.

In Continuous Custody Since: June 12, 2010

Assigned District Court Judge: The Honorable Richard G. Kopf

Initials of Assigned AUSA/Preparer of THIS Release: SEF